IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1302 of 2007

BHANWAR SINGH SHAKTAWAT
V/S
STATE & ORS.

Mr. M MRIDUL, for the appellant / petitioner

Date of Order : 15.3.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The petitioner seeks to challenge meeting of the No Confidence Motion dated 23.2.2007 as illegal, and the other declaration made in the minutes to be also declared to be illegal.

The thrust of the writ petition is about the illegal removal of the petitioner on account of absence on three dates of hearings, as the petitioner was declared ineligible, and the post was declared vacant vide order Annex.7, inasmuch as, according to the petitioner, simultaneously, two more persons were removed on 21st, but then on 22nd their removal was recalled on the ground of their being not given any opportunity of hearing before removal, while the petitioner's removal was not recalled, and on the other hand, vide Annex.11, a notice is given to the petitioner on 26.2.2007 to appear, and project his version on 17.4.2007. Thus, according to the petitioner, on

23.2.2007 also the petitioner should be deemed to be continuing as a member, and eligible to participate in the No Confidence Motion. Suffice it to say that a look at Annex.10 shows that the No Confidence Motion meeting was attended by only 7 persons, and all of them boycotted the voting. In that view of the matter, the alleged illegality of the removal of the petitioner cannot be said to have in any manner effected the proceedings for No Confidence.

Thus, I do not find any force in the writ petition. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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